

4.9 MARINE TRANSPORTATION

This section discusses existing marine vessel activity within the Project area and vessels and navigational hazards within the nearshore portions of the Project area and within local ports. This section also identifies significance criteria, assesses potential Project-related impacts of and to marine vessels and transportation, and discusses Project-incorporated mitigation measures that are designed to reduce or eliminate adverse impacts.

4.9.1 Environmental Setting

More than 4,000 large vessels travel along the central California coast every year, most within 15 miles (24 km) of the shoreline of San Luis Obispo County (CNN 2000, SAIC 2000). In referring to the then-proposed AT&T China-U.S. fiber optic cable installation, the EIR for that project states that a “wide variety of vessels traverse the proposed Project area. The majority of them are fishing and recreational vessels that operate out of Morro Bay and to a lesser extent, Port San Luis.” (SAIC 2000).

In the year 2000, an agreement between United States (U.S.) shipping officials, the International Maritime Organization, and the Monterey Bay, Gulf of the Farallones, and Channel Islands National Marine Sanctuaries specified distances from the shoreline that various commercial vessel types were to remain while in transit offshore the central California coast. While large vessels were to remain 15 to 23 miles (24 to 37 km) offshore, ships carrying hazardous materials were to remain from 29 to 34.5 miles (47 to 55 km) offshore, and tankers were required to stay at least 57.5 miles (92.5 km) offshore (CNN 2000).

The combined “resident fleet” of Morro Bay and Port San Luis is estimated to be approximately 400 vessels, of which about half are commercial fishing vessels; the remainder are pleasure craft (Lichtenbaum personal communication). The Morro Bay Marina has 24 moorings, 16 slips, and offers a variety of services for recreational vessels (NOAA 2007). The Morro Bay Yacht Club offers an additional six mooring balls and a 150 foot-long (46 meters [m]) dock for transient yachts. The City of Morro Bay manages the Morro Bay Harbor (NOAA 2007).

Morro Bay can support approximately 500 boats, has 125 offshore moorings, and the Harbor Department manages 50 slips, most of which are utilized by commercial fishing vessels (Endersby, personal communication 2008). The entrance to Morro Bay has historically been considered one of the most dangerous on the west coast of the U.S.

(Wikipedia 2008); however, since the U.S. Army Corps of Engineers initiated a larger dredging program in 1995, the sand bar that historically developed at the mouth of the harbor and resulted in breaking waves has been decreased.

4.9.2 Regulatory Setting

This section identifies and discusses the regulations and policies pertaining to vessel transportation and safety within the Project area from the shoreline to the 6,000-foot (1,830 m) isobath, approximately 50 miles (80 km) offshore. Also included are discussions on regulations that apply to the use of vessels within Morro Bay, the assumed local supply and personnel transit location.

Applicable Regulations

Federal regulations concerning marine navigation are codified in 33 CFR Parts 1 through 399 and are implemented by the U.S. Coast Guard and the U.S. Army Corps of Engineers. Federal regulations for marine vessel shipping are codified in 46 CFR Parts 1 through 599 and are implemented by the U.S. Coast Guard (USCG), Maritime Administration, and Federal Maritime Commission. California laws concerning marine navigation are codified in the Harbors and Navigation Code and are implemented by local city and county governments.

The Navigation Rules, enforced by the USCG, establish actions to be taken by vessels to avoid collision. These rules were established through the International Navigational Rules Act of 1977 (Public Law 95-75, 91 Stat. 308, or 33 U.S.C. 1601-1608). Specific to the proposed project, a vessel engaged in laying an undersea cable is defined by the USCG as a “vessel restricted in her ability to maneuver.” This definition refers to vessels that, due to the nature of their work, are unable to keep out of the way of other vessels. Thus, cable-laying vessels are granted special considerations. The Cable Act of 1992 (47 CFR §76) states that other vessels must maintain a one nautical mile (nm) (1.9 km) separation from a vessel laying or repairing an undersea cable. In addition, the Navigation Rules require vessels restricted in their ability to maneuver to display appropriate day shapes or lights.

The entire marine vessel study area is within the 11th Coast Guard District, which includes all of California and the offshore waters, as well as the states of Nevada, Arizona, and New Mexico. Each USCG District publishes a weekly Local Notice to Mariners (LNM), which is the primary means for disseminating information pertaining to navigational safety and other items of interest to mariners. Information contained in the

1 LNM includes reports of hazards to navigation, channel conditions, obstructions,
2 dangers, anchorages, restricted areas, regattas, construction or modification of bridges,
3 construction or removal of oil platforms, and laying of undersea cable. LNM's are
4 developed from information received from USCG field units, the general public, the U.S.
5 Army Corps of Engineers, U.S. Merchant Fleet, National Oceanic and Atmospheric
6 Administration, National Ocean Service, and other sources, concerning the
7 establishment of, changes to, and deficiencies in aids to navigation and any other
8 information pertaining to the safety of the waterways.

9 Designated coastwise shipping traffic lanes have been established along two portions of
10 the California coast: (1) in the vicinity of the entrance to San Francisco Bay, and (2)
11 from Point Conception southeast to the vicinity of the entrance to the ports of Los
12 Angeles and Long Beach. The shipping lanes are generally 4 to 20 nm (7.4 to 37 km)
13 offshore. Where shipping lanes have not been established, such as the central coast,
14 navigation practice has produced a pattern of traffic flow at various distances from shore
15 based on transit direction, vessel type, and cargo. Members of the Western States
16 Petroleum Association, whose tankers carry crude oil from Alaska, agreed in 1990 to
17 voluntarily keep laden vessels a minimum of 50 nm (93 km) from shore along the
18 California central coast. Slower-going ocean tank barges transit the central coast
19 approximately 15 to 25 nm (28 to 46 km) from shore to minimize interaction with the
20 offshore oil tankers and the inshore container ships. Given these practices, ocean tank
21 barges and oil tankers could cross the western portion of the proposed cable route (see
22 Figure 4.9-1).

23 4.9.3 Significance Criteria

24 Significant impacts to marine transportation would result if the Project:

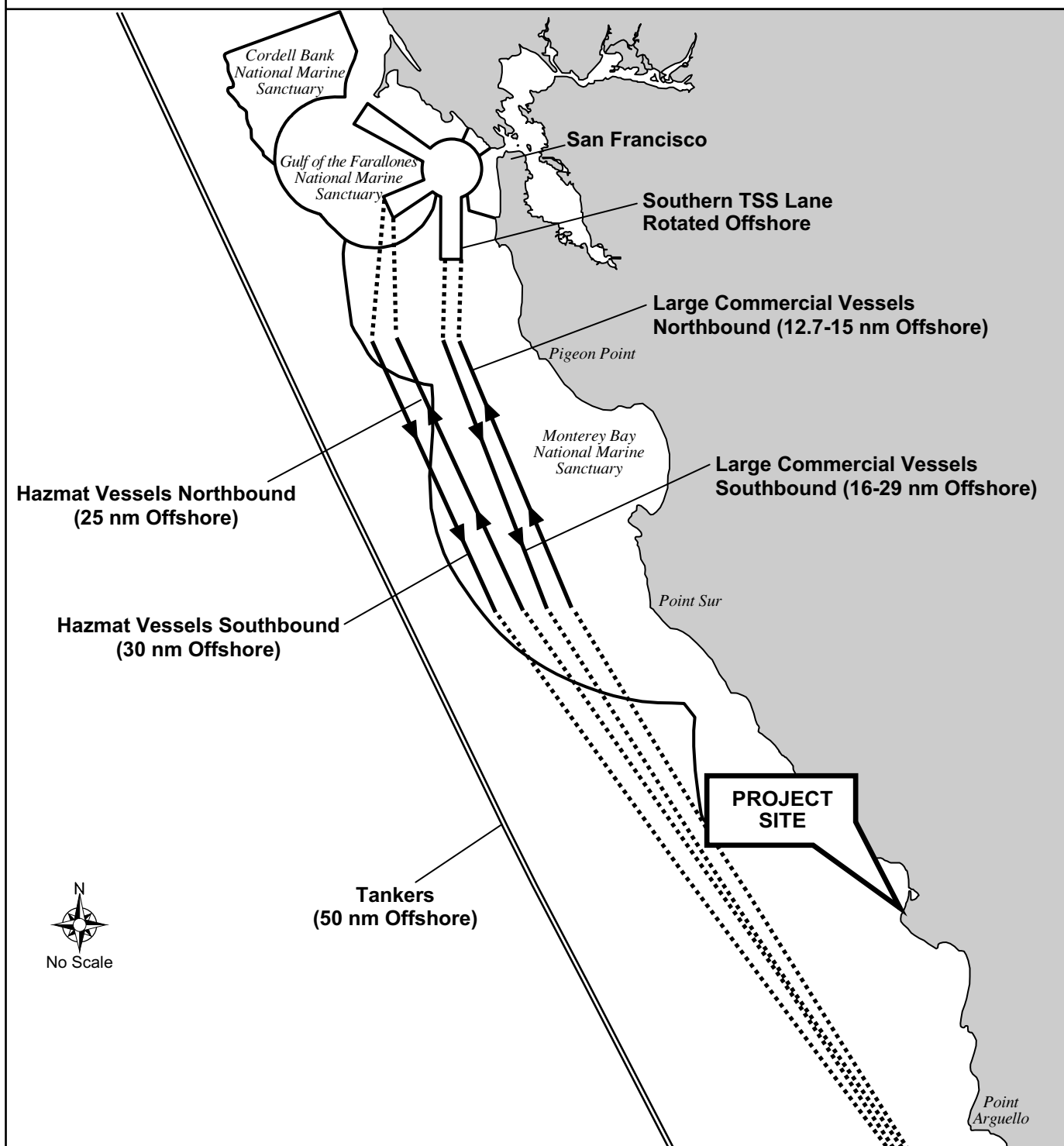
- 25 • Reduces the existing level of safety for vessels transiting the Project site or
26 region;
- 27 • Substantially increases the potential for vessel collisions.

28 4.9.4 Impact Analysis and Mitigation

29 The following section discusses potential marine transportation impacts from the
30 proposed Project and alternatives. No significant impacts were identified; therefore, no
31 mitigation measures are proposed.

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Source NOAA 2006

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BACK OF Figure

Impact Discussion

Construction Impacts Less than Significant

Within the Project area, defined as the area from a water depth of 6,000 feet (1,830 m) shoreward, construction vessels are expected to operate within a relatively narrow corridor, centered on the CSLC lease area. AT&T has agreed to provide the required Notice to Mariners, which will specify vessel type, location, operation, and contact information prior to in-water operations. Also expected to be clearly posted are appropriate markings and/or lighting to designate the vessels as either towing equipment, conducting diver operations or with limited maneuverability. Because local vessels (i.e., vessels with existing berthing) are expected to be used for crew and supply transport, no additional berthing for Project-related vessels within Morro Bay or Avila will be needed. Further, these vessels are expected to utilize existing transit corridors into and out of the harbor, thus reducing the chance for vessel interactions during transit.

The grapnel survey vessel will traverse the corridor at a speed of less than 5 nm per hour (knots) (9.3 km/hour) and, due to its reduced maneuverability, will fly the appropriate markings/lighting per USCG regulations. The diver support vessel will be anchored within 200 feet (61 m) of the conduit during the five-day conduit excavation/cleaning period. Crew and supply vessels are expected to transit between Morro Bay and the site and will utilize pre-established routes to and from the site.

The cable lay vessel will be operating within the transit corridors usually utilized by other commercial vessels that are transporting material between northern ports and Los Angeles/Long Beach (see section 4.9.1 above). The cable lay vessel will be traveling perpendicular to the north-south cargo vessel route and, although unlikely, without proper lighting and/or under reduced visibility conditions, a collision between the lay vessel and a transiting cargo vessel could occur. Similar incidents between the cable lay vessel or the diver support/supply vessels and commercial or recreational fishing vessels are also possible, particularly in the nearshore waters frequented by the latter.

Based on previous studies of a similar project (SAIC 2000), recreational boating in the vicinity of the cable route and near the cable landing area would not be significantly affected by the cable-laying activities from the proposed Project. Discussions with the Morro Bay Harbor Department (Algert, personal communication 2008 and Endersby, personal communication 2008) indicate that there are no data on the use of the Project area by recreational boaters; however, recreational fishing and transiting private vessels

are the most common recreational activities within the area. Boaters would be required to maintain a minimum distance of 1 nm (1.9 km) from the cable-laying vessel. Because recreational vessels are more maneuverable than the cable vessel, recreational boaters (sailboats, motor boats, charter boats, etc.) would be able to maintain a safe distance from the cable ship during installation. Thus, impacts on recreational boating would be short term and less than significant (Class III).

As proposed and with the noticing and markings that are required by the USCG, the impact to non-project marine traffic is considered to be less than significant (Class III). Assuming adherence to USCG and Morro Bay Harbor District regulations and requirements, no significant marine transportation-related impacts are expected.

Mitigation Measures

Because impacts would be less than significant (Class III), no mitigation measures are required.

Rationale for Mitigation

No mitigation required.

Table 4.9-1. Summary of Marine Transportation Impacts and Mitigation Measures

Impact	Mitigation Measures
Impacts less than significant (Class III)	No proposed mitigation measures

4.9.5 Impacts of Alternatives

The CEQA Guidelines emphasize that a selection of reasonable alternatives and an adequate assessment of these alternatives be presented to allow for a comparative analysis for consideration by decision-makers. Two alternatives are discussed for this EIR: 1) No Project Alternative, and 2) Cable Re-route/Maximum Burial Alternative.

No Project

The No Project Alternative would not generate any new marine transportation impacts to the existing conditions.

1 Cable Re-route/Maximum Burial Alternative

2 The Maximum Burial Alternative will result in an increase in the length of cable to be
3 buried, which will increase the time that crew and supply, and the cable-laying vessels
4 would be offshore. That increase in time equates to a minor increase in the chance for
5 vessel collisions. However, impacts on marine transportation would still be relatively
6 short term and less than significant (Class III).

7 4.9.6 Cumulative Projects Impact Analysis

8 The proposed Project, in combination with the Morro Bay State Park Marina
9 Enhancement Project could, if schedules coincide, result in potentially significant
10 cumulative marine transportation impacts. The Morro Bay State Park Marina
11 Enhancement Project proposes to use Morro Bay Harbor as a berthing area for vessels
12 that are currently berthed within the existing marina. Both projects will require use of
13 the harbor, which may create significant impacts to marine transportation by increasing
14 the number of vessels within the harbor. However, the Morro Bay State Park Marina
15 Enhancement Project is scheduled to be initiated in 2010, after the scheduled
16 completion of the proposed Project; therefore, no cumulative impacts on marine
17 transportation are anticipated.

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